

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4709 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

VIRENDRAKUMAR J SANGHVI

Versus

COLLECTOR

Appearance:

MRS KETTY A MEHTA for Petitioner

MR BY MANKAD, FOR M/S MG DOSHIT & CO for Respondent No. 1

CORAM : MR.JUSTICE C.K.BUCH

Date of decision: 01/12/98

ORAL JUDGEMENT

The petitioner has challenged the order of transfer dated 6.9..1986 passed by the Collector, Sabarkantha and has prayed that he should be retained on the post of Gujarati Stenographer in the office of the Collector of Sabarkantha at Himmatnagar. At the time of admitting this petition, though Rule was issued, interim relief as to stay of execution of the impugned order of transfer was not granted.

It is on record that on the date of presentation of the petition, the petitioner was on leave and as per the observations made by this Court at the time of dealing with the question as to grant of ad-interim relief, the petitioner must have resumed his duties at the office where he was transferred by the order under challenge.

It is not a matter of dispute that he was recruited as per the Stenographers & Stenotypist (Non Secretariat) Recruitment Rules, 1970 by the Collector in the district of Sabarkantha and his services were retained after appointment in the office of Collectorate. Thereafter he was transferred to the office of the District Industries Officer and this order of transfer has initiated these proceedings.

Mrs. Mehta, learned counsel appearing for the petitioner has fairly submitted that looking to the time consumed in these proceedings and looking to the nature of litigation, this petition has rendered infructuous and, therefore, she does not press this petition. Learned AGP Mr. Mankad also submitted that even otherwise this petition has become infructuous as the order of the transfer under challenge has already been implemented.

In view of above submissions, this petition stands disposed of as not pressed. Rule is discharged with no order as to costs.

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